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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/683,627

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Wojciech Kurek

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EXAMINER

MILORD, MARCEAU

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/683,627	Applicant(s) KUREK ET AL.	
	Examiner Marceau Milord	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-16 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8, 12, 13, 18-21, 24 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-11, 14-16, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 9-11, 14-16, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa et al (US Patent No 7254118 B1) in view of Chun (US Patent No 7315741 B2).

Regarding claims 1-3, Terasawa et al discloses a communication circuit operative to update an active link set list in an asynchronous wireless communication system (figs. 1, col. 2, lines 19-35; col. 4, lines 50-64) comprising: a circuitry operative to receive an active link set update message (col. 3, lines 48-59; col. 4, lines 1-14, col. 5, lines 60-66).

However, Terasawa et al does not specifically disclose the features of creating a candidate list of reference links to be used as time reference links based on the active link set list and the received active link set update message.

On the other hand, Chun, from the same field of endeavor, discloses the features of creating a candidate list of reference links to be used as time reference links (handoff procedure) based on

the active link set list and the received active link set update message (figs. 4-6; col. 3, lines 36-63; col. 5, lines 6-18; col. 6, lines 4-29).

Chun shows in figure 6, user equipment that determines the handover by using a message transmitted from the radio network controller and requests a radio link set by transmitting a measurement report message to the radio network controller. Furthermore, the radio network controller analyzes the measurement report message transmitted from the user equipment and transmits a radio link set (active set update) message as a handover approval message to the user equipment (fig. 6; col. 5, line 65-col. 6, line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chun to the communication system of Terasawa in order to provide a handover processing method for a communication system.

Regarding claim 4, Terasawa et al as modified discloses a communication circuit operative to update an active link set list in a wireless communication system (fig. 1) wherein the candidate reference link determination circuitry is operative to update the active link set list based on at least the received active link set update message (col. 3, lines 48-59; col. 4, lines 1-14, col. 5, lines 60-66).

Regarding claims 9-11, Terasawa et al discloses a wireless device operative to update an active link set list in an asynchronous wireless communication system (fig. 1) comprising: a transceiver (101) operative to receive an active link set update message (figs. 1, col. 2, lines 19-35; col. 4, lines 50-64); a determination circuitry, operatively coupled to the transceiver operative to receive an active link set update message (col. 3, lines 48-59; col. 4, lines 1-14, col. 5, lines 60-66); and a memory, operatively coupled to the determination circuitry, and operative to store

the candidate list of reference links (101 of fig. 1; mobile station 101 contains a memory that can be stored the candidate list of reference links; col. 3, line 44-col. 4, line 14; col. 4, lines 52-64).

However, Terasawa et al does not specifically disclose the features of creating a candidate list of a plurality reference links to be used as time reference links based on the active link set list and the received active link set update message.

On the other hand, Chun, from the same field of endeavor, discloses the features of creating a candidate list of a plurality reference links to be used as time reference links (handoff procedure) based on the active link set list and the received active link set update message (figs. 4-6; col. 3, lines 36-63; col. 5, lines 6-18; col. 6, lines 4-29).

Chun shows in figure 6, user equipment that determines the handover by using a message transmitted from the radio network controller and requests a radio link set by transmitting a measurement report message to the radio network controller. Furthermore, the radio network controller analyzes the measurement report message transmitted from the user equipment and transmits a radio link set (active set update) message as a handover approval message to the user equipment (fig. 6; col. 5, line 65-col. 6, line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chun to the communication system of Terasawa in order to provide a handover processing method for a communication system.

Regarding claims 14-16, Terasawa et al discloses a method for updating an active link set list in an asynchronous wireless communication system (figs. 1, col. 2, lines 19-35; col. 4, lines 50-64), the method comprising: receiving an active link set message (col. 3, lines 48-59; col. 4, lines 1-14, col. 5, lines 60-66).

However, Terasawa et al does not specifically disclose the features of creating a candidate list of a plurality of reference links to be used as time reference links based on the active link set list and the received active link set update message.

On the other hand, Chun, from the same field of endeavor, discloses the features of creating a candidate list of a plurality of reference links to be used as time reference links (handoff procedure) based on the active link set list and the received active link set update message (figs. 4-6; col. 3, lines 36-63; col. 5, lines 6-18; col. 6, lines 4-29).

Chun shows in figure 6, user equipment that determines the handover by using a message transmitted from the radio network controller and requests a radio link set by transmitting a measurement report message to the radio network controller. Furthermore, the radio network controller analyzes the measurement report message transmitted from the user equipment and transmits a radio link set (active set update) message as a handover approval message to the user equipment (fig. 6; col. 5, line 65-col. 6, line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chun to the communication system of Terasawa in order to provide a handover processing method for a communication system.

Regarding claims 22-23, Terasawa et al discloses a memory comprising instructions executable by one or more processing devices (fig. 1) that cause the one or more processing devices (figs. 1, col. 2, lines 19-35; col. 4, lines 50-64) to: receive an active link set message (col. 3, lines 48-59; col. 4, lines 1-14, col. 5, lines 60-66).

However, Terasawa et al does not specifically disclose the features of creating a candidate list of a plurality of reference links to be used as time reference links based on the active link set list and the received active link set update message.

On the other hand, Chun, from the same field of endeavor, discloses the features of creating a candidate list of plurality of reference links to be used as time reference links (handoff procedure) based on the active link set list and the received active link set update message (figs. 4-6; col. 3, lines 36-63; col. 5, lines 6-18; col. 6, lines 4-29).

Chun shows in figure 6, user equipment that determines the handover by using a message transmitted from the radio network controller and requests a radio link set by transmitting a measurement report message to the radio network controller. Furthermore, the radio network controller analyzes the measurement report message transmitted from the user equipment and transmits a radio link set (active set update) message as a handover approval message to the user equipment (fig. 6; col. 5, line 65-col. 6, line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Chun to the communication system of Terasawa in order to provide a handover processing method for a communication system.

Allowable Subject Matter

3. Claims 12-13, 18-19, 20-21, 24-25, 6-8 are allowed.

Response to Arguments

4. Applicant's arguments with respect to claims 1-4, 9-11, 14-16, 22-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. M./

Primary Examiner, Art Unit 2618

/Marceau Milord/

Primary Examiner, Art Unit 2618